

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICKY G. JOURNEY,

Petitioner,

vs.

STATE OF NEBRASKA,

Respondent.

8:20CV435

MEMORANDUM AND ORDER

Mr. Journey, again, attacks his confinement as a sex offender. I have previously dismissed without prejudice a similar complaint for the reason that there was no showing that he appealed in a timely fashion as provided under Nebraska law with regard to the Mental Health Board's decision. *See, Journey v. Nebraska Mental Health Board, et al.*, 8:19CV89. Furthermore, I determined that Mr. Journey might have a state remedy through the state equivalent of a habeas corpus action, but that Mr. Journey had not pursued that form of relief. Accordingly, I dismissed his petition without prejudice.

Now he files another § 2254 petition. The petition is deficient in that Mr. Journey fails to allege what decision he is challenging. Before I can proceed, I need to know (1) the body--the entity that made the decision--that entered the commitment that he attacks, (2) the precise date of the decision and a summary of the decision, (3) whether he had counsel or was offered but declined counsel for the hearing, and (4) why he thinks that decision is unconstitutional or otherwise violates federal law. His present petition is deficient in all these respects.¹ Accordingly,

IT IS ORDERED that:

¹ Mr. Journey is advised that he cannot represent other individuals.

(1) Mr. Journey shall file an amended petition for habeas corpus providing the above-entitled information and shall do so on or before December 3, 2020.

(2) If Mr. Journey fails to comply with this order, I shall dismiss this action without prejudice.

(3) The Clerk of Court shall send a copy of the AO 241 Form (Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody).

Dated this 3rd day of November, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge